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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,253	01/05/2004	Jacqueline Serfoss	4338P2740	3849
23504	7590	08/09/2005	EXAMINER	
WEISS & MOY PC			YAN, REN LUO	
4204 NORTH BROWN AVENUE			ART UNIT	
SCOTTSDALE, AZ 85251			PAPER NUMBER	

2854

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/751,253

Applicant(s)

SERFOSS, JACQUELINE

Examiner

Ren L. Yan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-9, 24 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-23 is/are rejected.
- 7) ☒ Claim(s) 12-15 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Applicant's election with traverse of invention Group II, claims 10-23 in the reply filed on 5-31-2005 is acknowledged. The traversal is on the ground(s) that claims 1-25 are interrelated to one another and should be prosecuted as part of the same patent application. This is not found persuasive because even though claims 1-25 are interrelated to one another to a certain extent, the invention groups as presented each is directed to a separate and distinct invention as outlined in the restriction requirement, and the search for each group is different from the others. Therefore, to search for all claims 1-25 in the same application would impose a serious burden on the examiner.

The requirement is still deemed proper and is therefore made FINAL.

Claims 12-15, 17 and 18 are objected to for the following reasons:

In claim 12, the recitation of "said imprint film" on line 5 and the recitation of "said printing surface" on line 7 both lack proper antecedent basis.

In claim 13, the recitations of "said imprint film" and "said printing surface" also lack proper antecedent basis.

In claim 14, the recitation of "said printing surface" lacks proper antecedent basis.

In claim 15, the recitations of "said frame" and "said backer" do not find proper antecedent basis.

In claim 17, the recitation of "said imprint film" on line 2 also lacks proper antecedent basis.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 18, 19 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Land(5,067,749). The patent to Land teaches a method for preserving handprints and footprints for reproduction as claimed including the steps of providing an impression medium 50 for preserving at least a portion of at least one of a handprint and a footprint, recording at least one of a handprint and a footprint onto an impression medium 50, and copying at least one of the handprint and the footprint from the impression medium 50 onto a personalized keepsake(card 65). See Figs. 1-10 and column 4, line 57 through column 5, line 46 in Land for details. Regarding claim 18, Land teaches providing an ink plate 21, coating the bottom surface of a hand with an effective amount of ink, pressing a portion of the hand onto a printing surface 50 and copying from the printing surface 50 the portion of the handprint onto a card 65.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land in view of Jubran(5,462,597). The patent to Land teaches all that is claimed except for the printing medium being a chemically reactive solution and the impression medium being a chemically

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reactive paper. The patent to Jubran teaches a method for inkless fingerprinting the conventional use of a chemically reactive solution as the printing medium and a chemically reactive paper as the impression medium to achieve the same fingerprinting operation without using ink. See column 9, lines 16-23 in Jubran for example. It would have been obvious to those having ordinary skill in the art to provide the handprint method of Land with the chemically reactive printing medium and chemically reactive impression medium as taught by Jubran because the chemically reactive printing medium is easier to be wiped clean with a tissue than ink.

Claims 10 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Koch(5,263,742). The patent to Koch teaches a method for preserving a handprint or a footprint as claimed including the steps of providing an impression medium 32 for preserving at least a portion of at least one of a handprint and a footprint, recording at least one of a handprint and a footprint onto an impression medium 32 and copying at least one of the handprint and the footprint from the impression medium 32 onto a personalized keepsake(invoice card, credit card, baby ID card, etc). See Figs. 1-10 and column 4, line 3 through column 5, line 36 in Koch for details. Regarding claims 14-16, Koch teaches the use of a substantially rigid cardboard backer 28' and a frame 62 being pivotally coupled to an edge of the cardboard backer to as to be foldable.

Claims 11-13, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch in view of Orlando et al(3,867,164). The patent to Koch teaches all that is claimed except that the impression medium used is not an imprint film coated with a printing medium on a bottom surface in combination with a cooperating printing surface. The patent to Orlando et al teaches in an imprinting method for finger and footprints the provision of an imprint film 3, a

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printing medium (ink) coated on the bottom surface of the imprint film 3, a printing surface 4 approximate the bottom surface of the imprint film 3, and an imprint protector sheet 1 dimensioned to be placed between the bottom surface of the imprint film 3 and the top surface of the printing surface 4. During the finger or footprinting operation, a person's finger or foot is pressed on top surface of the imprint film 3 so as to impart a finger or footprint from the bottom surface of the imprint film 3 onto the printing surface 4. See Figs. 1-3 and column 3, line 41 through column 4, line 36 in Orlando et al for example. In view of the teaching of Orlando et al, it would have been obvious to one of ordinary skill in the art to provide the imprint method of Koch with the imprint film coated with ink on its bottom surface, a print surface, and an imprint protector sheet disposed therebetween in order to produce a finger or footprint on a printing surface without getting ink on the finger or foot utilized to make the impression. Regarding claim 17, Orlando et al teach the use of a frame 1 defining a window dimensioned to expose a portion of the imprint film. With respect to claim 23, to order the baby's ID cards for distribution by a parent or a guardian when in need would have been most obvious for the intended purpose.

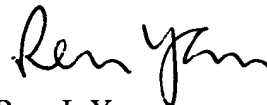
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
Aug. 5, 2005